

## Items for subcommittee wrap up

## Executive Action:

## OPD:

1. I move that the state special revenue reduction of \$2,171 per year made in accordance with the 5% reduction plan be restored. (Zinke)
2. I move that general fund for the Office of Public Defender be increased by \$300,000 per year as a restricted, one time only appropriation and that the following language be included in HB 2: "Funding in Office of Public Defender – Restricted may be used only to support contracted services or replacement of computers, servers, or copiers." (Zinke)

## Montana Board of Crime Control:

1. I move that general fund be increased by \$4,209, state special revenue by \$12, and federal funds by \$1,206 per year to reflect the addition of funding for parking (reduced by 10% consistent with FTE reduction of 2.00). (Walker)

Clarification – this action will change that dollar amount of the general fund reduction included in HB 2 language as contingent upon passage and approval of HB 230.

2. I move that funding for DP 105 Project Safe Neighborhood Grant be increased by \$58,500 federal funds per year to reflect the anticipated level of grant funds available for expenditure during FY 2012 and FY 2013. (Walker)
3. I move that general fund be reduced by \$11,749 per year to reflect a 40% reduction in general fund support for out of state travel. (Walker)

## Public Service Regulation

1. None

## Corrections

1. I move the adoption of:
  - a. DP 201 annualize treatment beds
  - b. DP 202 annualize prerelease beds
  - c. DP 204 annualize MASC beds
  - d. DP 315 annualizing beds for contract beds (Zinke)
2. I move DP 316 Population growth as a restricted, one time only appropriation including general fund of \$0 in FY 2012 and \$2,979,130 in FY 2013 to support an estimated 20 secure assisted living beds and 100 secure contract beds and that the following language be included in HB 2: "Funding in Secure Population Growth may be used only to support secure assisted living beds and secure contract beds." (Zinke)
3. I move that general fund support for youth services division be increased by \$50,000 per year and state special revenue from Pine Hills interest and income be reduced by a like amount. (Brodehl)
4. I move that funding for probation and parole office rent from probation and parole supervision fees be reduced by \$200,000 per year and that funding from restitution administration fees for probation and parole office rent be increased by a like amount. (Hiner)

Explanation – This reduces the appropriation from supervision fees for probation and parole office rent so that the supervision fee account has a projected positive ending fund balance and uses restitution admin fees to fund a portion of the probation and parole office rent. General fund is still reduced by \$700,000 per year but

funding for probation and parole office rent is split between supervision fees and restitution admin fees rather than being funded entirely with supervision fees.

5. I move that general fund support for the administrative and financial division be reduced by \$125,000 per year and state special revenue from restitution administrative fees be increased by a like amount. (Hiner)
6. I move that general fund support for adult probation and parole be reduced by \$20,000 per year and state special revenue from supervision fees be increased a like amount. (Brodehl)
7. I move that \$607,800 per year of general fund appropriation for youth services division juvenile reentry services be restricted and that language be included in HB 2 that "Funding in Juvenile Re-entry Services may be used only to support mentor grants, guide homes, parish nurses, and two after care coordinators." (Walker)
8. I move that general fund support for contracted prison beds be increased by \$200,750 general fund per year and that the following language be included in HB 2: "Secure care includes \$200,750 general fund money each year that may be used only to support an increase in rates for privately owned secure prison facility beds located within the Montana." (Zinke)

Note: Current rates (FY 2011) are (per the department):

- Cascade - \$54.51
- Dawson - 67.59
- CCA - 54.84 + 9.14 (debt) for total of \$63.98

Rates used by the department in calculating annualization decision packages are:

- Cascade - \$62.83
- Dawson - \$69.62
- CCA - \$63.98

Department spreadsheet indicates that current county jail rate is \$49.79 and rate used in calculating decision packages was \$59.75

Justice

1. I move approval of Agency Legal Services rates of \$88.00 per hour for attorneys and \$49.00 per hour for investigators. (page D-58) (Brodehl)
2. I move approval of:
  - DP 701 IT Web entry System Enhancements as a one time only biennial appropriation (page D-63)
  - DP 702 GCD base adjustments (page D-63)
  - DP 1304 MHP base adjustments with funding of \$300,000 per year in state special revenue.
  - DP 1206 MVD Base adjustments - revised request dated 1/28/11 (Brodehl)
3. I move we reconsider our previous action on DP 1203 IT VIVS On line Motor Vehicle Liability Insurance. (Brodehl)
4. I move DP 1203 IT VIVS On line Motor Vehicle Liability Insurance as requested in the executive budget (\$486,170 state special revenue per year). (Brodehl)
5. I move that \$100,000 general fund in FY 2013 be provided to the Division of Criminal Investigation as a restricted appropriation and that the following language be included in HB 2: "Funding in DCI Legal Assistance may be used only for contracted legal services in support of the Child Sexual Predator Unit and Prescription Drug Diversion Enforcement Unit. (Brodehl)

6. I move that the portion of funding for the Motor Vehicle Division currently supported by the general fund be shifted from the general fund to the highway state special revenue restricted account and that the funding shift be designated as a one time only appropriation. Staff is directed to calculate the amount based upon subcommittee actions on the Motor Vehicle Division budget. (estimated to be a shift of \$14 – 15 million for the biennium) (Brodehl)
7. I move that funding for the Forensic Science Division supporting breathalyzer/intoxalyzers be shifted from the alcohol tax funds to the highway state special revenue non restricted account. (\$326,068 in FY 2012 and \$327,687 in FY 2013, It is anticipated that this funding shift will enable DPHHS to reduce general fund expenditures). (Brodehl)
8. I move that general fund support for the Montana Law Enforcement Academy be increased by \$50,934 per year to reflect the movement of a position previously funded in the Department of Corrections to the Department of Justice. (Gallus)

#### Judicial Branch

1. I move the approval of DP 5002 Water Court Additional FTE including 2.00 FTE and \$90,250 in FY 2012 and \$90,036 in FY 2013 state special revenue. (Gallus)
2. I move the approval \$200,000 general fund per year as a restricted, biennial, one time only appropriation for DP 1001 Court help program. (Brodehl)
3. I move that the general fund reduction of \$22,420 per year applied to the Office of Clerk of the Supreme Court in accordance with the 5% reduction plan be restored. (Hiner)

#### Interim Monitoring

1. I move that the appropriation subcommittee on the Judicial Branch, Law Enforcement, and Justice recommend that the Legislative Finance Committee monitor the following items during the next interim:
  - Office of Public Defender
  - Department of Justice - Vehicle Insurance Verification System
  - Department of Justice – Motor Vehicle Division
  - Judicial Branch – Water Court
  - Judicial Branch – Court Help Program
  - Department of Corrections – Average daily population
  - Department of Corrections – Secure assisted living beds (Brodehl)

I move that subcommittee action on agencies included in Section D of the appropriations act be closed. (Gibson)